IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Schneider et al.

Application No.: 10/699,260

Filed: October 31, 2003

Title: PLAYER SPECIFIC REWARDS

Attorney Docket No.:
IGT1P288X1/AC020CIP1

Examiner: Laneau, Ronald

Group: 3714

Confirmation No.: 2064

RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action dated May 14, 2008. Since there are no amendments or additions to the claims, a new listing of the claims is not presented with this response.

Priority Claim

The priority claim for the subject application was changed by Applicants' Amendment of October 18, 2007. It is respectfully requested that the Examiner acknowledge that change in the next action take in the subject application.

Claim Rejections

Claims 1-7 and 16-19 stand rejected as unpatentable over by U.S. Patent No. 6,319,125 (Acres) in view of U.S. Patent No. 6,110,041 (Walker et al.).

The Cited Art

Acres is directed to a method for awarding bonus prizes as part of a bonus promotion. Various forms of bonus prizes may be awarded, including a welcome back bonus. (Col. 4, lines

45-49). The welcome back bonus offers a period of half-price wagering. The welcome back bonus is not immediately available when earned. Instead, a player must wait until a later pre-defined time to redeem the welcome back bonus through half-price wagering. (Col. 9, lines 58-67). The points required for each welcome back bonus can be cumulatively earned over successive visits. No player can accumulate more than one bonus award during a single playing session. (Col. 10, lines 18-22). The award of each welcome back bonus is made automatically following the pre-defined time threshold. Each welcome back bonus is in effect only as long as it takes to wager the earned bonus. (Col. 10, lines 28-43).

Upon insertion of the player tracking card into a card reader of a gaming machine, the identified player's record is retrieved from the DACOM host. A machine communications interface (MCI) calculates the total points and welcome back bonus points as they are earned. When enough welcome back bonus points have been earned, the MCI sets the welcome back earned bonus points status byte and clears the points towards the next award value. The latter value is not incremented as long as the earned flag bonus points status byte is set. The MCI also calculates the date and time at which a player will be qualified by adding a waiting time to the current date and time. When the player tracking card is removed from the card reader, the parameters are sent to the DACOM host for storage in the associated player record. When the player tracking card is inserted into a card reader of another gaming machine, the player record is retrieved from the DACOM host and is used by the associated MCI to control the welcome back bonus session. Once the data and time at which the player will be qualified has been met or exceeded, the MCI clears the earned flag bonus points status byte and adds points for the welcome back bonus award to the total point balance. (Col. 12, lines 28-56).

Walker et al. is directed to a gaming system having a central server that accesses and transmits player preferences to a slot machine. The slot machine receives the player preferences and configures the game to operate according to the received preferences. The gaming system also allows a slot machine to modify casino parameters, such as a complimentary award rate, to casino preferences according to the performance of a player to enhance the player's gaming experience. (Col. 3, lines 35-46). Specifically, a slot machine sends the results of the gambling activity (i.e. the amount of money spent and the amount of money won) to a slot network server 110. The server 110 analyzes the play results, updates a casino preference database 216, and transmits the updated casino preferences to a slot machine 120. (Col. 8, lines 60-67).

The server 110 establishes casino preferences by applying the received play results to predetermine rules. These rules may consider, for example, the skill of a player or the amount of money spent before the player quits. These rules are designed to adjust casino parameters to

stimulate the player's interest in continuing to play the slot machine. The server 110 also calculates and stores any complimentary awards due the player. (Col. 9, lines 1-8).

Claims 1-7 and 16-19 Would Not Have Been Obvious

Three criteria must be met to establish obviousness. First, the prior art must provide one of ordinary skill in the art with a suggestion or motivation to modify or combine the teachings of the references relied upon in rejecting the claims. Second, the prior art must provide one of ordinary skill in the art with a reasonable expectation of success. Third, the prior art, either alone or in combination, must teach or suggest each and every limitation of the rejected claims. The teaching or suggestion to make the claimed invention, as well as the reasonable expectation of success, must come from the prior art and not from Applicant's disclosure. If any one of these criteria is not met, a case of obviousness is not established. Also, some articulated reasoning with rational underpinnings must be provided to support a *prima facie* case of obviousness.

The combination of Rowe and Walker et al. does not result in Applicants' claimed invention. Thus, a *prima facie* case of obviousness has not been made out.

Claim 1, for instance, calls for a gaming network comprising a gaming device including a base game and a secondary bonus feature. The secondary bonus feature is playable by players identified to the gaming device. Player tracking hardware is structured to identify a player of the gaming device. A player tracking system is structured to store data about gameplay of the player of the gaming device. A player processing system is structured to record a present state of the secondary bonus feature wherein the present state of the secondary bonus feature can be recalled from stored data during a subsequent gaming session. The secondary bonus feature includes a series of trigger events in which the secondary bonus feature advances to a non-initial state upon the occurrence of a trigger event. At a non-initial state, a player identified to the gaming device acquires an award randomly selected from a group of possible awards. At the end of the secondary bonus feature, the player is rewarded based on the number or types awards acquired.

The Acres system provides for the award of a welcome back bonus. The Acres system maintains a record of the number of points earned. The points earned are based on the amount wagered. After a minimum number of points are earned, the welcome back bonus is awarded. Thus, there is a direct relationship between the amount wagered and the award of the welcome back bonus.

As admitted in the Office Action, Acres does not disclose that when a non-initial state is reached, upon the occurrence of a trigger event, a player acquires an award randomly selected from a group of possible awards. Acres also does not disclose that at the end of the secondary

bonus feature, that is, when the journey through the secondary bonus feature is complete, the random awards awarded at each non-initial state are analyzed and a player is rewarded based on the number or types of awards acquired. Thus, the random awards at each non-initial state determine the final award. Walker et al. does not cure these deficiencies of Acres.

As noted in the Office Action, in Walker et al., the slot machine 120 sends the results of gambling activity (i.e. the amount of money spent by a player and the amount of money won by a player) to the server 110. The server 110, after analyzing these results, can update the casino preference database 216. The server 110 establishes casino preferences by applying the received play results to predetermined rules. The server also calculates and stores any complimentary awards due to the player. (Col. 8, line 60 to Col. 9, line 8).

Contrary to what was said in the Office Action, there is absolutely no disclosure in Walker et al. that casino preferences are updated based on a "bonus game played." In fact, the opposite is true. The casino preferences of Walker et al. are updated based only on the results of regular gaming play, that is, the amount of money spent by a player and the amount money won by a player during a gaming session. (Col. 8, lines 61-64). There is no mention in Walker et al. of any sort of secondary bonus feature like that of Applicants' invention. Indeed, there is no citation to any portion of Walker et al. that discloses a secondary bonus feature.

Further, there is absolutely no disclosure in Walker et al. of a player processing system structured such that a secondary bonus feature advances to a non-initial state upon the occurrence of a trigger event, where a player identified to the gaming device acquires an award randomly selected from a group of possible awards. Also, there is no disclosure in Walker et al. of a player processing system structured such that at the end of the secondary bonus feature, the player is rewarded based on the number or types of awards acquired.

These features of Applicants' claimed invention increase the overall randomness of the award process. Walker et al., however, does not operate in this way.

Instead, Walker et al. adjusts casino preferences, such as complimentary award rate and complimentary award limits, based on the results of a player's gambling activity. (Col. 5, lines 17-36; Col. 9, lines 1-8). The server 110 of Walker et al. also calculates and stores any complimentary awards, such as free drinks and meals, due a player. (Col. 4, lines 51-57). In Walker et al., however, there is no secondary bonus feature in which a player acquires an award randomly selected award from a group of possible awards. Also, in Walker et al., there is no player reward at the end of a secondary bonus feature, based on the number or types of awards acquired by a player. Rather, in Walker et al., casino preferences are simply adjusted based on a player's gambling activity.

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Conclusion

In view of the foregoing, it is respectfully submitted that all the claims are now in condition for allowance. Accordingly, allowance of the claims at the earliest possible date is requested.

If prosecution of this application can be assisted by telephone, the Examiner is requested to call Applicants' undersigned attorney at (510) 663-1100.

If any fees are due in connection with the filing of this amendment (including any fees due for an extension of time), such fees may be charged to Deposit Account No. 504480 (Order No. IGT1P288X1).

Date: August 11, 2008

Respectfully submitted,

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